

Wayland Mission Statement

Wayland Baptist University exists to educate students in an academically challenging, learning-focused, and distinctively Christian environment for professional success, and service to God and humankind.

Contact Information

Course: LGLS 5317 – Evidence

Campus: WBU online

Term/Session: Spring 2023

Instructor: Dr. Robert W. Kinkaid, Jr.

Office Phone Number: 806-291-1170

WBU Email Address: robert.kinkaid@wayland.wbu.edu

Office Hours, Building, and Location: Call or e-mail me at anytime. Gates Hall, Room 313

Class Meeting Time and Location: Virtual Campus

Textbook Information

Required Textbook(s) and/or Required Materials: Gardner, Thomas J. and Anderson, Terry M., Criminal Evidence: Principles and Cases. Cengage. 2018. Ninth Edition. ISBN: 978-1-285-45900-4

*<<If using Wayland's Automatic eBook program, please include this statement; otherwise delete this paragraph.>> The textbook for this course is part of the **Wayland's Automatic eBook** program. You will have access to an eBook and interactive learning material on the first day of class through your Blackboard course site. The cost of this Automatic eBook will be billed directly to your student account when you register for the course. You will be notified via email with access instructions and additional information. If you do not wish to participate in the Automatic eBook program, you will have the first 12 days of class to opt-out of the program (additional details will be outlined in your email instructions). For more information on the Automatic eBook program, visit the Wayland Bookstore [Automatic eBook FAQ](#) page.*

Optional Materials: None

Course Information

Catalog Description: Studies the rules of evidence that govern judicial proceedings in federal and state courts. Subjects covered include relevance, real and demonstrative evidence, judicial notice, burdens of proof, presumptions, competency of witnesses, examination of witnesses, character evidence and related problems, the hearsay rule and its exceptions, opinion evidence, expert witnesses, foundation and authentication, the best evidence rule, and privileges.

There is no prerequisite for this course.

Course Outcome Competencies: Upon completion of this course, students will be able to:

- Understand the basic rules of evidence applicable to criminal cases
- Discuss various methods for impeaching witness testimony
- Describe the hearsay rule and its exceptions in detail

- Conceptualize how documentary and physical evidence is admitted at trial
- Understand the rationale for various evidentiary rules

Attendance Requirements

WBUonline

Students are expected to participate in all required instructional activities in their courses. Online courses are no different in this regard; however, participation must be defined in a different manner. Student “attendance” in an online course is defined as active participation in the course as described in the course syllabus. Instructors in online courses are responsible for providing students with clear instructions for how they are required to participate in the course. Additionally, instructors are responsible for incorporating specific instructional activities within their course and will, at a minimum, have weekly mechanisms for documenting student participation. These mechanisms may include, but are not limited to, participating in a weekly discussion board, submitting/completing assignments in Blackboard, or communicating with the instructor. Students aware of necessary absences must inform the professor with as much advance notice as possible in order to make appropriate arrangements. Any student absent 25 percent or more of the online course, i.e., non-participatory during 2 or more weeks of an 8-week session, may receive an F for that course. Instructors may also file a Report of Unsatisfactory Progress for students with excessive non-participation. Any student who has not actively participated in an online class prior to the census date for any given session is considered a “no-show” and will be administratively withdrawn from the class without record. To be counted as actively participating, it is not sufficient to log in and view the course. The student must be submitting work as described in the course syllabus. Additional attendance and participation policies for each course, as defined by the instructor in the course syllabus, are considered a part of the university’s attendance policy.

University Policies

Statement on Plagiarism and Academic Dishonesty: Wayland Baptist University observes a zero tolerance policy regarding academic dishonesty. Per university policy as described in the academic catalog, all cases of academic dishonesty will be reported and second offenses will result in suspension from the university.

Disability Statement: In compliance with the Americans with Disabilities Act of 1990 (ADA), it is the policy of Wayland Baptist University that no otherwise qualified person with a disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity in the university. The Director of Counseling, Career and Disability Services serves as the coordinator of students with disability and should be contacted concerning accommodation request at (806) 291-3765. Documentation of a disability must accompany any request for accommodations.

Accessibility issues with content in WBUonline courses or in Blackboard should be addressed to the WBU accessibility coordinator, Dr. Rick Hammer, hammer@wbu.edu or call (806) 292-9150.

Student Grade Appeals: Students shall have protection through orderly procedures against prejudices or capricious academic evaluation. A student who believes that he or she has not been held to realistic

academic standards, just evaluation procedures, or appropriate grading, may appeal the final grade given in the course by using the student grade appeal process described in the Academic Catalog. Appeals may not be made for advanced placement examinations or course bypass examinations. Appeals are limited to the final course grade, which may be upheld, raised, or lowered at any stage of the appeal process. Any recommendation to lower a course grade must be submitted through the Vice President of Academic Affairs to the Faculty Assembly Grade Appeals Committee for review and approval. The Faculty Assembly Grade Appeals Committee may instruct that the course grade be upheld, raised, or lowered to a more proper evaluation.

[WBU Catalog](#)

Course Requirements and Grading Criteria

- A. **Reading Assignments:** Weekly reading assignments should be completed prior to the Wednesday of the week they are scheduled for discussion. You should be prepared to participate in online discussions about the assigned reading.
- B. **Discussion Boards:** There will be a discussion topic each week of class. All first posts must be done by Wednesday at 11:59 p.m. Central Standard Time (CST) of each week, and the remaining two (2) posts must be in by Sunday at 11:59 p.m. CST each week. The original response to each set of discussion questions must be at least 400 words. Additionally, each of your two (2) responses to your classmates must be at least 100 words each. No discussion on the assigned weekly topic will take place after 11:59 p.m. on Sunday.

Posting all of your discussion answers on Blackboard (Bb) is a major requirement of this course. In this context, plagiarism will not be tolerated in any way (see Wayland Baptist University Policy on Dishonesty). You may view your peers work and postings to learn from one another, but you cannot copy their work. Students who have circumstances which prevent them from participating in or completing an assignment on time must communicate with me in order to find a reasonable accommodation to complete the required course work.

There are specific assignments that must be completed each week. Your individual responses must be insightful, thorough, and interesting. These responses should demonstrate an understanding of the assigned readings and should be substantiated by two or more examples from the textbook and/or appropriate websites. Each response to your classmates should be substantive. Participation is measured on the student's interaction and contribution with the course and other students as demonstrated through active involvement on the virtual classroom discussion board. A student's contribution must add value to the course. A discussion board posting is determined to be of substance by containing information that supplements, contradicts, questions, or furthers discussion on a subject area contained in the course. Additionally, it is expected that student participation reflects critical thinking and good grammar.

- C. **Course Exams and Quizzes:** You will have seven (7) Weekly Quizzes and a Final Exam. The quizzes will be timed and they will cover the Weekly Readings. The Final Exam will be comprehensive and it covers Chapters 1-18 in the textbook. All quizzes and the Final Exam are open book and open note.
- D. **Research Paper:** A research paper will be due by 11:59 p.m. CST on March 8, 2023. The paper must be at least five (5) pages in length. Please note that the research paper is through Safe Assignment and that any submission with a 50% or more matching percentage will not be accepted. If your matching percentage is 50% or more you may receive an “F” for the assignment. This information may then be reported to Dr. Cindy McClenagan and she will handle any further sanction(s) from the University. Furthermore, there may be a great reduction in your grade for matching percentages between 21% and 49%. The only allowable matching percentage is 0% to 20%.
- The paper must be submitted in APA format. Your topic must be pre-approved by the instructor. Plagiarism shall result in disciplinary action. Late papers will receive lower grades unless the Instructor determines that there is a satisfactory reason for the late receipt. **Papers must be submitted in Times New Roman 12 Point Font.**
- E. **Grade Calculation:** The following shall define the final grade in this course: Final Exam 50%; Research Paper 30%; and, Discussion Board/Quizzes 20%.

Course Management:

Students are expected to read all assigned materials before coming to class and prepare to participate in discussions. Further, students are expected to perform hands on assignments. The syllabus will be followed and **late assignments will not be accepted (also see attendance portion of this syllabus). If this is not accomplished, the assignment(s) will not be accepted. If for some reason prior arrangements have been made in reference to you not attending class, or if you will be late, your assignment must be e-mailed and date/time stamped by the start of the class session. If this is not completed, then you will not receive any credit for the assignment.** If you will not be attending a class session, and prior arrangements have been made, e-mail me at any time before the day that you will miss the class session to receive your assignment so that it will be turned in on the day it is due. For individuals with extreme circumstances, make-up assignments will be awarded as long as it is arranged with the instructor.

The University has a standard grade scale:

A = 90-100, B = 80-89, C = 70-79, D = 60-69, F= below 60, W = Withdrawal, WP = withdrew passing, WF = withdrew failing, I = incomplete. An incomplete may be given within the last two weeks of a long term, within the last week of an 8-week session, or within the last two days of a microterm to a student who is passing, but has not completed a term paper, examination, or other required work for reasons beyond the student's control. A grade of “incomplete” is changed if the work required is completed prior to the

last day of the next long 16-week term or 8-week session, unless the instructor designates an earlier date for completion. If the work is not completed by the appropriate date, the I is converted to an F.

Tentative Schedule

Week 1 January 16-22, 2023

Meet and Greet Discussion Board:
Due Tuesday 01/17 @ 11:59 p.m.
Chapters 1, 2 and 3
Discussion Board Response:
Due Wednesday 01/18 @ 11:59 p.m.
Classmate DB Response:
Due Sunday 01/22 @ 11:59 p.m.
Week 1 Quiz:
Due Sunday 01/22 @ 11:59 p.m.

Week 2 January 23-29, 2023

Chapters 4 and 5
Discussion Board Response:
Due Wednesday 01/25 @ 11:59 p.m.
Classmate DB Response:
Due Sunday 01/29 @ 11:59 p.m.
Week 2 Quiz:
Due Sunday 01/29 @ 11:59 p.m.

Week 3 January 30-
February 5, 2023

Chapters 6, 7, and 8
Discussion Board Response:
Due Wednesday 02/01 @ 11:59 p.m.
Classmate DB Response:
Due Sunday 02/05 @ 11:59 p.m.
Week 3 Quiz:
Due Sunday 02/05 @ 11:59 p.m.

Week 4 February 6-12, 2023

Chapter 9, 10, and 11
Discussion Board Response:
Due Wednesday 02/08 @ 11:59 p.m.
Classmate DB Response:
Due Sunday 02/12 @ 11:59 p.m.
Week 4 Quiz:
Due Sunday 02/12 @ 11:59 p.m.

Week 5 February 13-19, 2023

Chapters 12 and 13

Discussion Board Response:

Due Wednesday 02/15 @ 11:59 p.m.

Classmate DB Response:

Due Sunday 02/19 @ 11:59 p.m.

Week 5 Quiz:

Due Sunday 02/19 @ 11:59 p.m.

Week 6 February 20-26, 2023

Chapters 14 and 15

Discussion Board Response:

Due Wednesday 02/22 @ 11:59 p.m.

Classmate DB Response:

Due Sunday 02/26 @ 11:59 p.m.

Week 6 Quiz:

Due Sunday 02/26 @ 11:59 p.m.

Week 7 February 27-
March 5, 2023

Chapters 16, 17, and 18

Discussion Board Response:

Due Wednesday 03/01 @11:59 p.m.

Classmate DB Response:

Due Sunday 03/05 @ 11:59 p.m.

Week 7 Quiz:

Due Sunday 03/05 @ 11:59 p.m.

Week 8 March 6-11, 2023

Final Exam

Research Paper Due 03/08/2023 @ 11:59 p.m.

Additional Information
